

05-31-01

CPA/1771



# CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

*Submit an original and a duplicate for fee processing.*

*(Only for Continuation or Divisional applications under 37 CFR 1.53(d))*

CHECK BOX, if applicable  
 **DUPPLICATE**

<b>Address to:</b>	Attorney Docket No.	41824B
<b>Assistant Commissioner for Patents</b>	First Named Inventor	Bieser, et al.
<b>Box CPA</b>	Examiner	Juska, C.
<b>Washington, DC 20231</b>	Group Art Unit	1771
	Express Mail Label No.	EL414239009US

This a request for a  continuation or  divisional application under 37 CFR 1.53(d),  
 (continued prosecution application (CPA)) of prior application number 09/032,893, filed on February 27,  
 1998, entitled HOMOGENEOUSLY BRANCHED ETHYLENE POLYMER CARPET, CARPET BACKING  
AND METHOD FOR MAKING SAME

## NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR § 1.51(b), (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1.  Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
2. a.  A preliminary amendment is enclosed.  
 b.  Cancel Claim(s) \_\_\_\_\_ before calculating the filing fee.
3.  This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:  
 \_\_\_\_\_  
 b.  The inventor(s) to be deleted is set forth on a separate sheet attached hereto.
4.  An Associate Power of Attorney is enclosed.
5.  A new Information Disclosure Statement (IDS) is enclosed:
  - a.  PTO-1449
  - b.  Copies of IDS Citations

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16 (c))	-20 =		x \$ <u>18.00</u> =	\$
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	- 3 =		x \$ <u>78.00</u> =	
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ <u>260.00</u> =	
				BASIC FEE (37 CFR 1.16(a))	710.00
			Total of above Calculations =		710.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				
				TOTAL =	\$ 710.00

6.  Small entity status – N/A
7.  The Commissioner is hereby authorized to credit overpayments or charge any additional fees required under 37 CFR 1.16 and 1.17 to Deposit Account No. 04-1512.
8.  A check in the amount of \$ \_\_\_\_\_ is enclosed.
9.  New drawings and a letter to the Draftsman are enclosed.
10. a.  Receipt for Facsimile Transmitted CPA
  - b.  Authorization for Payment of Fees & Extension of Time
  - c.  Return Receipt Postcard (specifically itemized)
11.  Other: Ext. of Time (2 Copies) & Request for Limited Suspension of Action in A CPA.

**NOTE:** *The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.*

#### 12. NEW CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label  
below



or  Correspondence address

NAME			
ADDRESS			
CITY	STATE	ZIP CODE	

#### 13. SIGNATURE OF ATTORNEY/AGENT REQUIRED

Signature: Osborne K. McKinney

Name: Osborne K. McKinney  
Registration No.: 40084  
Date: May 30, 2001

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